REMARKS

This Application has been carefully reviewed in light of the Office Action. Applicants respectfully request reconsideration and favorable action in this case.

Objections to Claims 1, 3, 9, and 16

The Office Action objects to Claims 1, 3, 9, and 16, stating that the phrase "adapted to" suggests or makes optional but does not require the steps to be performed or does not limit a claim to a particular structure. Applicants respectfully traverse these objections. However, in order to advance prosecution, Applicants have amended Claim 1 to recite, "a relational interface embodied in a computer-readable medium and operable to receive a relational query . . . ."

For at least this reason, Applicants respectfully submit that Claim 1 is allowable. Thus, Applicants respectfully request that the objection to Claim 1 be withdrawn.

Similar to Claim 1, Applicants have amended Claims 3, 9, and 16 to replace "adapted to" with "operable to." For at least this reason, Applicants respectfully submit that Claims 3, 9, and 16 are allowable. Thus, Applicants respectfully request that the objections to Claims 3, 9, and 16 be withdrawn

Section 101 Rejections

The Office Action rejects Claims 1-8 and 15 under 35 U.S.C. § 101, stating that the claimed invention is directed to non-statutory subject matter. Applicants respectfully traverse these rejections. However, in order to advance prosecution, Applicants have amended Claim 1 to recite, "a relational interface embodied in a computer-readable medium . . . ."

For at least this reason, Applicants respectfully submit that Claim 1 is directed to statutory subject matter. Thus, Applicants respectfully request that the rejection of Claim 1 under 35 U.S.C. § 101 be withdrawn.

Claims 2-8 and 15 depend from Claim 1. Therefore, for at least the reasons discussed above regarding Claim 1, Applicants respectfully submit that Claims 2-8 and 15 are directed to statutory subject matter. Thus, Applicants respectfully request that the rejections of Claims 2-8 and 15 under 35 U.S.C. § 101 be withdrawn.

Section 102 Rejections

The Office Action rejects Claims 1-20 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,122,639 to Babu et al. ("*Babu*"). Applicants respectfully traverse these rejections.

Claim 1 is directed to an apparatus for network management in a heterogeneous environment, including a protocol transaction handler. The protocol transaction handler is operable to handle the native protocol messages as a transaction with the network device, and return a result of the transaction to the software application. *Babu* does not disclose each of these limitations.

The Office Action relies on Management Information Bases (MIBs) of *Babu* as disclosing the protocol transaction handler is operable to handle the native protocol messages as a transaction with the network device of Claim 1. *See Office Action*, Page 5 (pointing to Col. 1, Lines 64-67 of *Babu*). This, however, is incorrect. For example, the Office Action also relies on a "device type" of *Babu* as disclosing native protocol messages of Claim 1. *See Office Action*, Page 14 (stating "native protocol messages (device type)"). Despite this reliance (and further despite the limitation "operable to handle the ***native protocol messages***" of Claim 1 (emphasis added)), the passage at Col. 1, Lines 64-67 of *Babu* relied upon by the Office Action fails to even mention "device type." Additionally, contrary to the limitation "operable to handle the native protocol messages as a transaction with the network device" of Claim 1, *Babu*, in discussing transactions with a network device, clearly fails to disclose "device type." *See Babu*, Col. 7, Lines 48-51 (stating "[t]hus, in one embodiment, states 2 and 3 respectively involve making an *SNMP* Query for the SysObjectID and providing an *SNMP* Reply with the SysObjectID."). In fact, *Babu* discloses that the current values for the MIB sets are provided using SNMP, not device type:

In state 8, the network device 118 responds by supplying a copy of the requested values to the Collection Engine 20. For example, the network device 118 provides an *SNMP* Reply with DDD.

See Babu, Col. 12, Lines 59-62 (emphasis added).

For at least these reasons, *Babu* does not disclose the apparatus of Claim 1 including, for example, the protocol transaction handler operable to handle the native protocol messages as a transaction with the network device, and return a result of the transaction to the software application. Therefore, Applicants respectfully request that the rejection of Claim 1 be withdrawn.

Claims 2-8 and 15-16 each depend, either directly or indirectly from Claim 1. Therefore, for at least the reasons discussed above with regard to Claim 1, Applicants respectfully request that the rejections of Claims 2-8 and 15-16 be withdrawn.

Similar to Claim 1, Claims 9-11 include limitations related to handling the native protocol messages as a transaction with the network device. For at least those reasons discussed above with regard to Claim 1, Applicants respectfully contend that *Babu* does not disclose each of these limitations. Therefore, Applicants respectfully request that the rejection of Claims 9-11 be withdrawn.

Claims 12-14 and 17-20 each depend, either directly or indirectly from Claims 10 and 11, respectively. Therefore, for at least the reasons discussed above with regard to Claim 1, Applicants respectfully request that the rejections of Claims 12-14 and 17-20 be withdrawn.
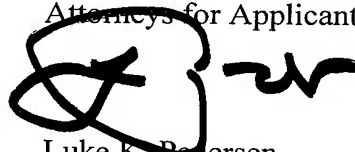
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Conclusions

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other apparent reasons, Applicants respectfully request full allowance of all pending Claims.

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

Applicants believe no fee is due. However, should there be a fee discrepancy, the Commissioner is hereby authorized to charge any required fees or credit any overpayments to Deposit Account No. **02-0384** of **Baker Botts L.L.P.**

Respectfully submitted,

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